

REMARKS

Status of the Claims

The Office Action mailed March 16, 2010 noted that claims 1-32 were pending, claims 1-12 and 19-32 are withdrawn from consideration, and rejected claims 13-18. Claims 13, 14 and 16 are amended. Claim 15 is cancelled. No new claims are added. No new matter is believed to be presented.

Claims 1-14 and 16-32 are pending and under consideration.

Election-Restrictions

The Office Action, on page 3, finally withdrew claim 32 from consideration.

Rejection under 35 U.S.C. § 103

The Office Action, on page 4, rejected claims 13-18 under 35 U.S.C. § 103(a) as being unpatentable over Goldhaber and Ludolph. This rejection is respectfully traversed below.

The Office Action, on page 4, cited to column 18, lines 34-5. Applicant believes that the Examiner intended to cite to column 18, lines 34-54. Clarification is requested.

It is respectfully submitted that Goldhaber and Ludolph, taken alone and in combination, do not discuss "detecting that a user has selected at least one symbolic image corresponding to an information provider and has moved the symbolic image by clicking, dragging and dropping the symbolic image to **the advertisement requesting domain**," recited in claim 13. The Office Action, on page 5, cited to Figure 11, Figure 13, 304-310 and column 18, lines 34-5 of Goldhaber. Nevertheless, the Office Action admitted that Goldhaber "does not disclose changing and managing the display position of an image in response to a user manipulation by dragging and dropping." However, the Office Action has paraphrased the features of claim 13 and did not address "the advertisement requesting domain." Goldhaber does not discuss "the advertisement requesting domain" but merely discusses a cybercoin which may be clicked. It is submitted that claims speak for themselves and should not be interpreted based on the Examiner's paraphrasing of the claims.

The Office Action asserted that Ludolph cures the deficiencies of Goldhaber and cited to Figure 9c, Figure 10b, column 5, line 50 – column 6, line 33, column 22, lines 50-65 and column 9, lines 53-67 of Ludolph. Ludolph also does not discuss "the advertisement requesting domain"

but merely a "desk drawer" which acts as an extension of the desktop environment, providing an always accessible window with easy access to the icons placed within.

Furthermore, claim 13 is amended to clarify features not discussed by Ludolph and Goldhaber, taken alone and in combination. Claim 13 recites "identifying the symbolic image and a position of the symbolic image in the advertisement requesting domain, the position representing user interest and being one of near, middle and far, detected with the detector and generating and transmitting distribution reservation requesting data to the advertisement distributor corresponding to the symbolic image and the position" which is not discussed by Ludolph or Goldhaber. Neither reference discusses "the position representing user interest and being one of near, middle and far."

On pages 5-6 of the Office Action, claim 13 appears to be rejected under 35 U.S.C. § 103(a) over Goldhaber and Ludolph as well as Official Notice or well known evidence. However, the Office Action failed to formally refer to Official Notice or well known evidence in its rejection and merely stated "[m]oving, clicking, dragging, and dropping icons to perform tasks such as selecting has been used since before 1984 by the Apple Macintosh Computer to increase ease of use and fun and enjoyment by the user, e.g., dragging a file to the trash can is easier, more intuitive, and more fun than hitting the delete key." Claim 13 says nothing about deleting and the references are silent regarding "the advertisement requesting domain." For at least these reasons, the Office Action failed to establish a case of *prima facie* unpatentability, in view of alleged Official Notice/well known evidence. Based on the reasons presented above showing the errors in the Office Action's rejection, of claims 13-18, Applicants respectfully request that references teaching or suggesting the alleged well known Officially Noted evidence and an Examiner's affidavit describing the knowledge of the Examiner relied on specifically in relation to the quote on pages 5-6 of the Office Action in the rejection of claims 13-18 be presented in the next Office Action.

The dependent claims depend from the above-discussed independent claims and are patentable over the cited references for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the cited references. For example, claim 14 recites "the information display receives and displays the advertisement information adjusted depending on the display position of the symbolic image transmitted from the advertisement distributor." In particular, the Office Action continues to not consider this feature and cited to the same sections of Goldhaber and Ludolph relied upon in its rejection of claim 13. Goldhaber and Ludolph, taken alone and in combination, do not discuss **displaying**

advertisement information adjusted depending upon the display position of the symbolic image transmitted from the advertisement distributor. Goldhaber says nothing about displaying advertisement information adjusted depending upon the display position. It is submitted that the dependent claims are independently patentable over the cited references.

Summary

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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